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Attorney for Defendant  
**FAUSTINO AGUAYO**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

—000—

UNITED STATES OF AMERICA,  
Plaintiff

CR. 05-118-MMC

vs.

FAUSTINO AGUAYO, et al..

**STIPULATION TO CONTINUE  
STATUS CONFERENCE; ORDER  
THEREON**

## Defendants

Defendant FAUSTINO AGUAYO, by and through his counsel of record Randy Sue Pollock, and Assistant U.S. Attorney David Hall hereby stipulate and agree that the status conference presently set for Wednesday, December 6, 2006, be continued until Wednesday, January 17, 2007, at 2:30 p.m.

Counsel met with Assistant United States Attorney Dave Hall on November 8, 2006, to discuss a global resolution of this case. Each attorney present, with the exception of Chris Cannon and Steve Gruel, who met with Mr. Hall on a subsequent date, received proposed dispositions. It was the consensus of all counsel that a continuance was necessary so that we could each have time to discuss this matter with our clients.

1       The time period from December 6, 2006 to January 17, 2007 would be deemed  
2 excludable pursuant to 18 U.S.C. § 3161(h)(8)(A), given that the ends of justice served by  
3 granting a continuance outweigh the best interests of the public and of the defendant in a  
4 speedy trial. Additionally, pursuant to 18 U.S.C. § 3161(h)(8)(B)(ii) given the nature of  
5 the prosecution, the volume of the evidence, the fact that wiretaps were involved, it is  
6 unreasonable to expect adequate preparation for pretrial proceedings and for the trial  
7 within the time limits established by the Speedy Trial Act.

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10 Date: November 24, 2006

/s/ Randy Sue Pollock  
RANDY SUE POLLOCK  
Counsel for Defendant  
FAUSTINO AGUAYO  
On Behalf Of All Defendants

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14 Date: November 24, 2006

/s/ David Hall  
DAVID HALL  
Assistant United States Attorney

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18 SO ORDERED:

19 November 27, 2006

  
MAXINE M. CHESNEY  
United States District Court Judge